

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 850

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H.P. 599

House of Representatives, March 7, 2017

### **An Act To Prohibit a Person from Providing False Testimony to a Committee of the Legislature**

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Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT  
Clerk

Presented by Representative SIROCKI of Scarborough.  
Cosponsored by Senator BRAKEY of Androscoggin and  
Representatives: DILLINGHAM of Oxford, GINZLER of Bridgton, MALABY of Hancock,  
O'CONNOR of Berwick, TIMBERLAKE of Turner, TURNER of Burlington, Senators:  
SAVIELLO of Franklin, WOODSOME of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 3 MRSA c. 22** is enacted to read:

3 **CHAPTER 22**

4 **TESTIMONY BEFORE LEGISLATIVE COMMITTEES**

5 **§491. Requirement to provide truthful testimony**

6 **1. Definitions.** As used in this chapter, unless the context otherwise indicates, the  
7 following terms have the following meanings.

8 A. "Legislative committee" means a committee, subcommittee or joint or select  
9 committee of the Legislature or any special committee or commission, by whatever  
10 name, established by the Legislature to make recommendations for legislative action  
11 or to develop legislation, when convened for a hearing, work session or other official  
12 purpose.

13 B. "Person" means a:

14 (1) Legislative designee, as defined in section 312-A, subsection 8-A;

15 (2) Lobbyist, as defined in section 312-A, subsection 10;

16 (3) Lobbyist associate, as defined in section 312-A, subsection 10-A;

17 (4) Member of the public;

18 (5) Official in the executive branch, as defined in section 312-A, subsection  
19 10-C; or

20 (6) State employee or state agency employee, as defined in section 312-A,  
21 subsection 17.

22 C. "Testimony" means information, provided either in person or by other means, and  
23 includes information provided orally, in writing or by other means of communication.

24 **2. Testimony.** A person who provides testimony to a legislative committee may not:

25 A. Purposely provide false testimony regarding a material fact pertaining to that  
26 person's testimony;

27 B. Purposely falsify any testimony; or

28 C. Purposely omit or conceal a material fact related to the testimony.

29 **3. Oath.** Notwithstanding any law to the contrary, any member of a legislative  
30 committee may require that the chair of the committee place a person providing  
31 testimony under oath.

32 **4. Penalty.** A person who violates subsection 2 commits a Class E crime. If that  
33 person violates this section while under oath pursuant to subsection 3, that person  
34 commits a Class D crime.

